


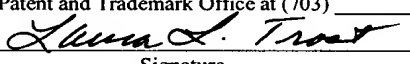


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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/986,527 ✓
		Filing Date	November 9, 2001
		First Named Inventor	Barany et al.
		Group Art Unit	1639
		Examiner Name	M. Shibuya
Total Number of Pages in This Submission	715	Attorney Docket Number	19603/3357 (CRF D-1595G)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$ _____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$ _____) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$ _____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$ _____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$ _____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$ _____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$ _____) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Check in the amount of \$ _____ <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Communication Regarding Previously Submitted Documents (2 pages)  Declaration of Francis Barany with Appendices 1-3 (93 pages)  Declaration of Donald Bergstrom with Appendices 1-3 (82 Pages)  Declaration of Gregory W. Siskind with Appendix 1 (44 pages)  Declaration of Gerald Zon with Appendices 1-3 (493 pages)
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	May 11, 2007

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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<input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____	
May 11, 2007 Date	 Signature Laura L. Trost Typed or printed name



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Barany et al.	)	Examiner:
		)	M. Shibuya
Serial No.	: 09/986,527	)	
		)	Art Unit:
Cnfrm. No.	: 5780	)	1639
		)	
Filed	: November 9, 2001	)	
		)	
For	: DETECTION OF NUCLEIC ACID SEQUENCE	)	
	DIFFERENCES USING THE LIGASE	)	
	DETECTION REACTION WITH	)	
	ADDRESSABLE ARRAYS	)	

COMMUNICATION CONCERNING REPLACEMENT OF  
PREVIOUSLY SUBMITTED DOCUMENTS

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This submission is being made to correct errors in the file history for the above-identified application.

The undersigned attorney communicated with Supervisory Patent Examiner ("SPE") James Schultz about errors appearing in the appendices attached to four declarations that were submitted in support of the applicants' showing under 37 CFR § 1.608(b). The errors concerned the improper inclusion of social security numbers of various individuals on several pages of the appendices. SPE Schultz agreed to immediately "close" access to these four records on the PAIR system. However, to remove the records from the PTO file history permanently—rather than just "closing" access via PAIR—the undersigned attorney agreed to resubmit the four declarations with their appendices redacted to the extent necessary for removal of birth dates and social security numbers.

Each of the originally filed documents appeared in the electronic (PAIR) records for the above-identified application as a "Rule 130, 131, or 132 Affidavit," bearing an entry date of January 28, 2002. Applicants hereby request **replacement** of the presently "closed" electronic records with the following redacted versions submitted herewith:

- (1) Declaration of Francis Barany under 37 CFR § 1.608(b) (15 pages), with redacted Appendices 1-3 (for a total of 93 pages);

- (2) Declaration of Donald Bergstrom under 37 CFR § 1.608(b) (4 pages), with redacted Appendices 1-3 (for a total of 82 pages);
- (3) Declaration of Gregory W. Siskind under 37 CFR § 1.608(b) (2 pages), with redacted Appendix 1 (for a total of 44 pages); and
- (4) Declaration of Gerald Zon under 37 CFR § 1.608(b) (2 pages) with redacted Appendices 1-3 (for a total of 493 pages).

Consistent with the undersigned attorney's communication with SPE Schultz, it is respectfully requested that the presently "closed" electronic records be purged from the PTO files.

Applicants would also like to note that the enclosed replacement documents were prepared using a printed version of the presently "closed" electronic records on file with the PTO. Thus, each of the declarations bears on its first page an "OIPE" date stamp of January 28, 2002.

Because these printed versions were used to generate the redacted replacement copies, Applicants would also like to point out that the presently "closed" electronic records differ from the documents as originally filed on January 28, 2002. It appears that during the scanning process performed by the PTO, the dividers separating the appendices were removed and the appendices improperly associated among several of the declarations. The presently "closed" electronic records contain the following inaccuracies: the three appendices to the Barany declaration were arranged in the wrong order, the Bergstrom declaration contained only the first of its three appendices, and the second and third appendices from the Bergstrom declaration were improperly associated with the Siskind declaration instead. The enclosed replacement documents **do not** replicate these inaccuracies. In other words, by replacing the now "closed" electronic records with the enclosed replacement documents, the PTO will also correct these errors.

If there are any questions concerning the submission of these **replacement** copies, it is respectfully requested that SPE Schultz contact the undersigned attorney directly.

Respectfully submitted,



Edwin V. Merkel  
Registration No. 40,087


Date: May 11, 2007

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CERTIFICATE OF MAILING [37 CFR 1.8(a)]

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Alexandria, VA 22313-1450

5/11/07  
Date

  
Laura L. Trost